

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 20 and 22-23 will have been canceled and claims 13-19, 21, and 24-26 will have been amended for consideration by the Examiner.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding objections and rejection of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided. Applicant notes that Applicant has filed an Information Disclosure Statement in the present application on February 3, 2005. Thus, Applicant respectfully requests that the Examiner send a copy of the appropriate signed PTO-1449 Form to Applicant with the next Official Action in order to confirm consideration of the documents cited therein.

Turning to the merits of the action, the Examiner has rejected claims 25 and 26 under U.S.C. § 102(e) as being anticipated by ZUILI (U.S. Patent No. 6,145,084). The Examiner has rejected claims 13-24 under 35 U.S.C § 103(a) as being unpatentable over ZUILI in view of TOYODA et al. (Japanese Patent Publication No. 09-116728).

As noted above, Applicant has canceled claims 20 and 22-23, and has amended claims 13-19, 21, and 24-26 for reconsideration. Applicant respectfully traverses the above rejection based on these amended claims 13-19, 21, and 24-26 and will discuss the rejection with respect to the pending claims in the present application as will be set

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forth hereinbelow. The claims have been amended merely to clarify the subject matter, but do not narrow the scope of the claims.

Applicant's claims 13-15, 19, 21, and 26 relate to a transmitting Internet facsimile apparatus connected with a receiving Internet facsimile apparatus via a server apparatus on the Internet. The transmitting Internet facsimile apparatus is a same type device as the receiving Internet facsimile apparatus. The transmitting Internet facsimile apparatus is configured to communicate with a first server apparatus and with a second server apparatus. The transmitting Internet facsimile apparatus also has a controller which accesses the first server apparatus to obtain capabilities regarding facsimile data that the receiving Internet facsimile apparatus can receive. Further, the controller obtains, from the second server apparatus, the capabilities regarding facsimile data that the receiving Internet facsimile apparatus can receive, when the first server apparatus is determined not to store the capabilities regarding facsimile data that the receiving Internet facsimile apparatus can receive. The controller transforms image data, based on the obtained capabilities regarding facsimile data that the receiving Internet facsimile apparatus can receive, converts the transformed image data into data for Internet transmission, and transmits the converted data to the receiving Internet facsimile apparatus. The capabilities include one of a resolution, a paper size, a compression format, and an encryption format that are utilized for a facsimile communication between the transmitting Internet facsimile apparatus and the receiving Internet facsimile apparatus. Claims 18, and 24-25 recite related methods.

Applicant's claims 16-17 relate to a server apparatus having a memory and connected with a transmitting Internet facsimile apparatus and a receiving Internet

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facsimile apparatus via the Internet. The a transmitting Internet facsimile apparatus is a same type device as the receiving Internet facsimile apparatus. The server apparatus, *inter alia*, has a memory and obtains the capabilities of the receiving Internet facsimile apparatus from another server apparatus that stores the capabilities of the receiving Internet facsimile apparatus, when the capabilities of the receiving Internet facsimile apparatus are not stored in the memory. Further, when the transmitting Internet facsimile apparatus inquires regarding the capabilities of the receiving Internet facsimile apparatus, the server apparatus transmits the capabilities of the receiving Internet facsimile apparatus to the transmitting Internet facsimile apparatus. Thus, the transmitting Internet facsimile apparatus is able to transform image data, based on the capabilities of the receiving Internet facsimile apparatus, to convert the transformed image data into data for Internet transmission, and to transmit the converted data to the receiving Internet facsimile apparatus. The capabilities include one of a resolution, a paper size, a compression format, and an encryption format that are utilized for a facsimile communication between the transmitting Internet facsimile apparatus and the receiving Internet facsimile apparatus.

Regarding the rejection of claims 25 and 26 under U.S.C. § 102(e), ZUILI relates to an adaptive communication system enabling dissimilar devices to exchange information over a computer network. In the system, a verification server stores a database of permissible sending and receiving devices. However, ZUILI does not relate to a communication between similar types of devices, but explicitly and specifically to communications between dissimilar devices which include computers, phones, faxes, beepers, cellular communication devices, e-mail, and computer software (col. 1, lines 7-

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11, col. 4, lines 43-49). In direct contrast, the pending claims relate to a communication between same type devices, that is, Internet facsimile apparatuses.

In ZUILI, the server 12 stores a database of permissible recipient and sending devices, along with information, the information including information as to protocol conversion, language translation, and other functions which might be necessary for device compatibility (col. 4, lines 49-55). However, the stored information is information which is relate to compatibility for a communication between dissimilar devices, e.g., information as to protocol conversion and language translation. In direct contrast, the pending claims recite information which is relate to compatibility for a communication between same type devices, e.g., a resolution, a paper size, a compression format, and an encryption format utilized for a facsimile communication between a transmitting Internet facsimile apparatus and a receiving Internet facsimile apparatus.

Additionally, in ZUILI, the database contains information as to the capability level of the sending and/or receiving devices, along with application programs necessary to translate the signals that may be sent by that device to an alternate form which may be required for the receiving device (col. 4, lines 56-61). However, the contained information is information which is necessary for a communication between dissimilar devices, since ZUILI relates to a communication between dissimilar devices. In direct contrast, the pending claims relate, e.g., a resolution, a paper size, a compression format, and an encryption format utilized for a facsimile communication between generally similar Internet facsimile apparatuses.

Moreover, in ZUILI, the database contains information related to device 16, including "the types of messages" that device 16 is capable of receiving (col. 5, lines

27-28). However, the contained information is necessary for a communication between dissimilar devices. In direct contrast, the pending claims do not require information as to the types of messages, since the pending claims relate to a facsimile communication and thus a type of message utilized for the pending claims is always facsimile data.

Further, in ZUILI, the verifying server informs transmitting device A whether any translation of the data to be sent to device B is required (col. 5, lines 29-39). In direct contrast, the server apparatus of the pending claims does not transmit this kind of information to the transmitting Internet facsimile apparatus. Rather, the server apparatus transmits, to the transmitting Internet facsimile apparatus, e.g., a resolution, a paper size, a compression format, and an encryption format utilized for a facsimile communication between the transmitting Internet facsimile apparatus and the receiving Internet facsimile apparatus.

In ZUILI, if an RTS authorization request includes some content which is unrecognizable by the verifying server, the verifying server is interconnected to the World Wide Web by the Internet and may generate queries to other Web sites based upon a keyword found in the RTS. If a solution to the particular translational problem is identified, the communication may proceed. The procedures required for translation may be stored or further modified for future use (col. 6, lines 5-20). However, the procedures required for translation does not contain, e.g., a resolution, a paper size, a compression format, and an encryption format utilized for a facsimile communication between the transmitting Internet facsimile apparatus and the receiving Internet facsimile apparatus, since ZUILI does not relate to a communication between same type devices, but relates to a communication between dissimilar devices.

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As discussed above, ZUILI relates to a communication between dissimilar devices, but not to a communication between same type devices. Thus, ZUILI does not disclose a transmitting Internet facsimile apparatus which obtains, from a server apparatus, capabilities regarding facsimile data that the receiving Internet facsimile apparatus can receive, the capabilities including one of a resolution, a paper size, a compression format, and an encryption format that are utilized for a facsimile communication between the transmitting Internet facsimile apparatus and the receiving Internet facsimile apparatus. Thus, ZUILI does not comply with recitations of the pending claims, and the pending claims are clearly distinguished over ZUILI.

Therefore, it is respectfully submitted that numerous features recited in Applicant's claims 25 and 26 are not disclosed in ZUILI cited by the Examiner.

Regarding the rejection of claims 13-24 under U.S.C. § 103(a), as discussed above, ZUILI does not relate to a communication between same type devices, e.g., a communication between a transmitting Internet facsimile apparatus and a receiving Internet facsimile apparatus. ZUILI also does not disclose a transmitting Internet facsimile apparatus which obtains, from a server apparatus, capabilities regarding facsimile data that the receiving Internet facsimile apparatus can receive, the capabilities including one of a resolution, a paper size, a compression format, and an encryption format that are utilized for a facsimile communication between the transmitting Internet facsimile apparatus and the receiving Internet facsimile apparatus. Thus, the pending claims are clearly distinguished over ZUILI.

Therefore, it is respectfully submitted that numerous features recited in Applicant's claims 13-19, 21, and 24 are not disclosed in ZUILI cited by the Examiner.

TOYODA et al. relates to a facsimile type electronic mail apparatus of a transmitting side which, before transmitting mail data, communicates with a receiving apparatus, and obtains a prescribed paper size and a prescribed image resolution from the receiving apparatus (paragraphs 19 and 20).

However, the present invention does not communicate with a receiving apparatus to obtain a prescribed paper size and a prescribed image resolution from the receiving apparatus, before transmitting image data. Rather, the present invention communicates with a server apparatus to obtain the capabilities regarding facsimile data that the receiving apparatus can receive.

Further, TOYODA et al. does not obtain, from a second server apparatus, the prescribed paper size and the prescribed image resolution, when a first server apparatus is determined not to store the prescribed paper size and the prescribed image resolution, since TOYODA et al. obtains the prescribed paper size and the prescribed image resolution from the receiving apparatus itself, thus not needing to obtain the prescribed paper size and the prescribed image resolution from a server apparatus. Thus, the pending claims are clearly distinguished over TOYODA et al.

Therefore, it is respectfully submitted that the features recited in Applicant's claims 13-19, 21, and 24 are not disclosed in TOYODA et al. cited by the Examiner.

Moreover, TOYODA et al. does not supply at least the above-noted deficiencies of ZUILI, and thus the combination proposed by the Examiner does not render the claims unpatentable. Thus, the pending claims are submitted to be patentable over the Examiner's proposed combination, since neither ZUILI, TOYODA et al., nor any other

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proper combination thereof discloses the combination of features recited in Applicant's claims 13-19, 21, and 24.

Moreover, Applicant submits that the Examiner has not set forth a proper motivation for the proposed combination. Merely because ZUILI and TOYODA are from "the same field of endeavor" does not provide a motivation. Further, col. 5, line 29-61 of ZUILI does not relate to even mention "facsimile data in e-mail form".

Accordingly, for each of the above reasons independently, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending in the present application in due course.

SUMMARY AND CONCLUSION


Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has canceled some rejected claims and has amended other claims for consideration by the Examiner.

With respect to the pending claims, Applicant has pointed out the features thereof and has contrasted the features of the pending claims with the disclosures of the references. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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